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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,826	02/20/2004	Chun-Yi Chiu	E0523-00070	7047

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EXAMINER	
CANNING, ANTHONY J	
ART UNIT	**PAPER NUMBER**
2879	

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/783,826	CHIU ET AL.	
	Examiner	Art Unit	
	Anthony J. Canning	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 November 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) *1-9 and 15-20* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *See Continuation Sheet*.

Continuation of Attachment(s) 6). Other: WO 00/60904 English Abstract and JP 2003-157970 Detailed Description and Drawings.

DETAILED ACTION

Acknowledgement of Election

The election of claims 10-14 was entered on 4 November 2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Izumizawa et al. (WO 00/60904).

As to claim 10, Izumizawa et al. disclose an organic luminescence display device comprising: one or more display elements (Abstract Figure, item 3; see Abstract); at least one moisture detector placed in a predetermined location close to the display elements (Abstract Figure, item 6; see Abstract); and a first and second shields for encapsulating the display elements (see Abstract Figure, items 1 and 8; see Abstract; since the electroluminescent layer is housed between layers 1 and 8, layer 8 is also a substrate) and the moisture detector therebetween (see Abstract Figure, item 6; see Abstract), wherein undesired moisture is detected by the moisture detector base on one or more moisture-affected material characteristics thereof (see Abstract; a reaction of the moisture detector and moisture will cause a material difference in

the detector since the detector is absorbing the moisture, the moisture molecules absorbed into the detector create a material difference in the layer's substance).

As to claim 13, Izumizawa et al. disclose the display device of claim 10. Izumizawa et al. further disclose that the moisture detector is a strip of a thin metal (see Abstract).

As to claim 14, Izumizawa et al. disclose the display device of claim 10. The limitation that the moisture is detected by monitoring a resistance of the moisture detector is an intended use limitation, does not structurally distinguish the invention from the prior art of record, and is not given patentable weight by the examiner. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

The resistance of the moisture detector will be changed just by the fact that the layer contains moisture molecules.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 10, 13 and 14 are rejected under 35 U.S.C. 102(a) as being anticipated by Izumizawa et al. (U.S. 6,635,988 B1).

As to claim 10, Izumizawa et al. disclose an organic luminescence display device comprising: one or more display elements (see Figure 1, item 3; column 3, lines 34-38); at least one moisture detector placed in a predetermined location close to the display elements (see Fig. 1, item 6; column 3, lines 55-57); and a first and second shields for encapsulating the display elements (see Fig. 1, items 1 and 8; column 4, lines 2-3) and the moisture detector therebetween (see Fig. 1, items 1, 6 and 8), wherein undesired moisture is detected by the moisture detector base on one or more moisture-affected material characteristics thereof (column 2, lines 19-28; a reaction of the moisture detector and moisture will cause a material difference in the detector since the detector is absorbing the moisture, the moisture molecules absorbed into the detector create a material difference in the layer's substance).

As to claim 13, Izumizawa et al. disclose the display device of claim 10. Izumizawa et al. further disclose that the moisture detector is a strip of a thin metal (column 2, lines 29-32).

As to claim 14, Izumizawa et al. disclose the display device of claim 10. The limitation that the moisture is detected by monitoring a resistance of the moisture detector is an intended use limitation, does not structurally distinguish the invention from the prior art of record, and is not given patentable weight by the examiner. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

The resistance of the moisture detector will be changed just by the fact that the layer contains moisture molecules.

Claims 10, 11 and 12 are rejected under 35 U.S.C. 102(a) as being anticipated by Kobayashi et al. (J.P. 2003-157970).

As to claim 10, Kobayashi et al. disclose an organic luminescence display device comprising: one or more display elements (see Figure 1a, item 30; Detailed Description paragraph 0011); at least one moisture detector placed in a predetermined location close to the display elements (see Fig. 1a, item 50; Detailed Description paragraph 0012); and a first and second shields for encapsulating the display elements (see Fig. 1a, items 10; Detailed Description paragraph 0011) and the moisture detector therebetween (see Fig. 1a, items 50 and 10), wherein undesired moisture is detected by the moisture detector base on one or more moisture-affected material characteristics thereof (Detailed Description paragraph 0012, the material change is a change in color).

As to claim 11, Kobayashi et al. disclose the display device of claim 10. Kobayashi et al. further disclose that the moisture detector is placed in the predetermined location of the device so that it does not affect an operation of the display elements (see Fig. 2b, items 50; Detailed Description paragraph 0014).

As to claim 12, Kobayashi et al. disclose the display device of claim 10. Kobayashi et al. further disclose that the moisture is detected by monitoring a light transmissivity of the moisture detector (Detailed Description paragraph 0012, anthocyanin will turn purple with moisture). The limitation that the moisture is detected by monitoring a transmissivity of the moisture detector is an intended use limitation, does not structurally distinguish the invention from the prior art of record, and is not given patentable weight by the examiner. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not

differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Canning whose telephone number is (571)-272-2486. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh D. Patel can be reached on (571)-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Canning
27 February 2006

ASHOK PATEL
PRIMARY EXAMINER